Case 14-02153 Filed 07/14/14 Doc 8

(SW)

FILED
JUL 14 2014
UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In Re Martha Poornasir — Case No. 2010-44611-13-D

Debtor.

Poornasir — Adversary Proceeding No. 14-02153

Plaintiff,

vs. Bank of the West, N.A.

Defendant.

MEMORANDUM RE: DEFAULT PAPERS

TO: Robert C. Borris Jr.

The item(s) indicated below require your attention for us to process your requested relief:

- ☐ 1. No *Request for Entry of Default by Plaintiffs*, form EDC 3-726, was submitted.
- ☒ 2. No *Entry of Default and Order Re: Default Judgment Procedures*, form EDC 3-727, was submitted.
- ☐ 3. No Certificate of Service re: Issuance of Summons was submitted.
- ☐ 4. The declaration/affidavit does not set forth the following required facts:
  - __ The date the summons was issued, or the summons issued date stated in the declaration/affidavit is incorrect;
  - __ A statement that the court has fixed a deadline for the filing of the answer or motion, or that the 30 or 35 day time limit applies;
  - __ The date the complaint was served on the defendant, or the date of service of the complaint on the defendant stated in the declaration/affidavit is incorrect;
  - __ A statement that no answer or motion has been received within the time limit fixed by the court or by Bankruptcy Rule 7012(a);
  - __ A statement that the defendant is not entitled to the benefits of the Servicemembers Civil Relief Act of 2003 (50 U.S.C. Appendix 501 et seq.); and/or
  - __ A statement that the defendant is not an infant or incompetent person.
- ☐ 5. The Summons and Complaint were not served within 14 days after the Summons was issued.
- ☐ 6. The defendant is a debtor and the debtor's attorney was not served. Fed. R. Bankr. P. 7004(g).
- ☐ 7. The defendant/debtor was not served at the address shown in their bankruptcy case.
- ☐ 8. An Answer or Motion was filed on ____________________ and the matter must now be set for a hearing before the judge.
- ☐ 9. An Order Extending or Reducing the Time for Filing an Answer was filed on ____________and the deadline for filing an Answer is ______________. Your pleadings should be resubmitted to the court, if appropriate, upon expiration of the deadline.
- ☒ 10. Other: The Certificate of Summons was not served to the Agent for Service of Process

DATED: 7/14/14

By: Elizabeth Argento
Deputy Clerk
Elizabeth Argento

U.S. Bankruptcy Court
501 I Street, Suite 3-200
Sacramento, CA 95814-2322
(916) 930-4400

EDC 4-100 (Rev. 10/1/12)